



# **WILD RIVER ADVENTURES**

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EXHIBIT 1  
DATE 1/13/2009  
HB 150

Good morning Chairman Stoker and Members of the Committee:

My name is Bob Jordan. I am a licensed Outfitter and certified Recreation Therapist and have provided recreational activities for Montana citizens since 1975. These services have included include Summer Camps for disabled individuals, Special Olympics, recreational activities for Veterans, hiking, fishing and whitewater rafting. I have been a Montana Outfitter since 1985 and currently own and operate a Whitewater Rafting and Fishing business in West Glacier.

I am here today to lend my support to HB 150 because I believe this Statute would allow those of us who conduct recreational activities to benefit from the common law inherent risk doctrine. As I understand it, this common law dictates that recreation providers have no duty to protect participants from the inherent risks of recreational activities, and no corresponding liability to participants for injury or loss resulting from those inherent risks. As such recreation service providers would be protected if an injury or loss is determined to be a result of the inherent risk of the activity.

As with many businesses, the fees we charge are greatly influenced by the cost of insurance. In our company's case, liability insurance rates have risen dramatically since 2001. Our rafting customers are primarily families, and we strive to keep our fees as low as possible. This is becoming more difficult every year. This is even more of an issue when working with veteran, disabled and elderly clients, many of whom are on a fixed income.

Since Montana is one of just a few states in the country to not recognize liability release language, recreation businesses are already at a disadvantage when compared to those in other states. Our concern is that Montana may become an undesirable place to do business for insurance companies who cover the recreational industry. In a worst case scenario, they could pull out of this market; at the minimum they will continue to raise rates to the point where we will have to do likewise and thereby risk eliminating a significant segment of our customer base. Outdoor Recreation including Hunting, Fishing skiing, and Rafting are strong draws and are integral to our tourist industry. This bill would help insure that these activities can continue to be provided by highly qualified professionals for reasonable rates. In addition, scouting organizations, YMCA's, and organized sports such as Youth Soccer and Little League would all benefit by this bill as well.

I believe HB150 will not only help the Tourism Industry in our State, but help private Montana citizens as well. Our Constitution guarantees certain inalienable rights including the "right to enjoy our lives" and the right to "seek health and happiness in all lawful ways". That is what we in recreation industry help our citizens and visitors achieve. This bill will go a long way to insure that we can continue to provide these services.

Thank you for your consideration of my comments.

Bob Jordan – Outfitter/Owner

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